

7843. Adulteration of tomato catsup. U. S. v. 185 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. D. C. No. 14905. Sample No. 67572-F.)

LIBEL FILED: January 8, 1945, Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about November 11, 1944, by the Morgan Packing Co., from Austin, Ind.

PRODUCT: 185 cases, each containing 24 bottles, of tomato catsup at Somerset, Ky.

LABEL, IN PART: "Old Mammy's Brand Tomato Catsup."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of decomposed tomato material.

DISPOSITION: February 1, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7844. Adulteration of tomato catsup. U. S. v. 498 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. D. C. No. 15002. Sample No. 54696-F.)

LIBEL FILED: On or about January 26, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 13, 1944, by the Fettig Canning Corporation, from Elwood, Ind.

PRODUCT: 498 cases, each containing 24 14-ounce bottles, of tomato catsup at Chicago, Ill.

LABEL, IN PART: "Vine-Ripe Tomato Catsup."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: March 13, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7845. Adulteration and misbranding of tomato paste. U. S. v. 2 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 15086. Sample No. 93845-F.)

LIBEL FILED: January 25, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about November 27, 1944, by John Minervini, Hoboken, N. J.

PRODUCT: 2 cases, each containing 100 6-ounce cans, of tomato paste at Mount Vernon, N. Y.

LABEL, IN PART: (Cans) "Minervini Brand Tomato Paste."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence therein of flies. Misbranding, Section 403 (g), the article failed to conform to the definition and standard of identity for tomato paste since it contained less than 25 percent of salt-free tomato solids.

DISPOSITION: February 14, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7846. Adulteration and misbranding of tomato paste. U. S. v. 299 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 13272. Sample No. 61356-F.)

LIBEL FILED: On or about August 28, 1944, Western District of Louisiana.

ALLEGED SHIPMENT: On or about July 10, 1944, by the Taormina Co., Donna, Tex.

PRODUCT: 299 cases, each containing 100 6-ounce cans, of tomato paste at DeQuincy, La.

LABEL, IN PART: "Farmaiola Brand Fancy Tomato Paste (Salsa Di Pomodoro)."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for tomato paste since it contained less than 25 percent of salt-free tomato solids.

DISPOSITION: December 7, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7847. Misbranding of tomato paste. U. S. v. 247 Cases of Tomato Paste. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15087. Sample No. 84547-F.)

LIBEL FILED: January 23, 1945, District of Maryland.

ALLEGED SHIPMENT: On or about December 26, 1944, by Parrott and Co., from Oakland, Calif.

PRODUCT: 247 cases, each containing 6 6-pound, 14-ounce cans, of tomato paste at Baltimore, Md.

LABEL, IN PART: (Cans) "Lido Brand Tomato Paste * * * Packed by Thornton Canning Co., Thornton, Calif."

VIOLATION CHARGED: Misbranding, Section 403 (g), the article failed to conform to the definition and standard for tomato paste since it contained less than 25 percent of salt-free tomato solids.

DISPOSITION: February 27, 1945. A. J. Harris & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

7848. Adulteration of tomato puree and tomato paste. U. S. v. 349 Cases of Tomato Puree (and 4 other seizure actions against tomato puree and tomato paste). Default decrees of condemnation and destruction. (F. D. C. Nos. 14405, 14413, 14415, 14416, 14442. Sample Nos. 78275-F, 78276-F, 78278-F, 92922-F to 92924-F, incl., 92930-F.)

LIBELS FILED: Between on or about November 8 and 20, 1944, District of Maryland and Eastern District of Pennsylvania.

ALLEGED SHIPMENT: Between on or about October 10 and 17, 1944, by the Uddo and Taormina Co., from Vineland, N. J.

PRODUCT: 391 cases, each containing 24 cans, of tomato puree, and 64 cases, each containing 100 cans, of tomato paste at Baltimore, Md.; and 21 cases, each containing 24 cans, of tomato puree, and 70 cases, each containing 100 cans, of tomato paste at Philadelphia, Pa.

LABEL, IN PART: (Cans) "Mountain Beauty Contents 1 Lb. 12 Oz. Tomato Puree [or "Contents 6½ Ozs. Avoir. Tomato Paste"] Packed For La Sierra Heights Canning Co., Inc., Buena Park, California," or "Mountain Beauty Contents 6 Ozs. Avoir. Tomato Paste."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of decomposed substances.

DISPOSITION: Between December 5 and 14, 1944. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

7849. Adulteration of tomato puree. U. S. v. 267 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 15154. Sample No. 13401-H.)

LIBEL FILED: January 24, 1945, Southern District of Ohio.

ALLEGED SHIPMENT: On or about October 13, 1944, by D. E. Foote and Co., Inc., Baltimore, Md.

PRODUCT: 267 cases, each containing 6 6-pound, 8-ounce cans, of tomato puree at Cincinnati, Ohio.

LABEL, IN PART: "Mountain Pride Tomato Puree * * * Distributed by Mount Airy Sales Co. Baltimore, Maryland."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: February 21, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7850. Adulteration of tomato puree. U. S. v. 998 Cases of Tomato Puree. Decree of condemnation. Portion of product ordered delivered to a Federal institution, for use as animal food; remainder ordered released. (F. D. C. No. 7932. Sample No. 1403-F.)

LIBEL FILED: July 16, 1942, Western District of Michigan; amended July 10, 1944.

ALLEGED SHIPMENT: On or about January 10, 1942, by the Ladoga Canning Co., from Lebanon, Ind.

PRODUCT: 998 cases, each containing 6 No. 10 cans, of tomato puree at Fremont, Mich.

LABEL, IN PART: (Cans) "Ladoga Brand Tomato Puree."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of